## UNITED STATES DISTRICT COURT

1	DISTRICT OF NEVADA	
2	DISTRICT OF NEVADA	
3	HOWARD B. ACKERMAN, ) Case No.: 2:10-cv-01088-GMN-GWF	
4	Petitioner, ) ORDER	
5	vs.	
6	DIRECTOR HOWARD SKOLNICK, et )	
7	al. )	
8	Respondents.	
9		
0	This is a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 in	
1	which Petitioner, a state prisoner, is proceeding with representation of counsel. On	
2	March 5, 2012, the Court issued an order granting in part and denying in part	
13	Respondents' Motion to Dismiss. (ECF No. 31.) The Court concluded that the	
4	ineffective assistance claim concerning the failure to raise prosecutorial misconduct on	
15	appeal in Ground 1, Subpart 5; Ground 1, Subpart 7, and Ground 3(B) are unexhausted.	
16	(Id.) Petitioner has filed a Declaration abandoning these unexhausted claims. (ECF No	
7	32.) Therefore, the Court sets a briefing schedule on the merits of the remaining ground	
8	in the Petition.	
19	IT IS THEREFORE ORDERED that the ineffective assistance claim concerning	
20	the failure to raise prosecutorial misconduct on appeal in Ground 1, Subpart 5; Ground	
21	Subpart 7, and Ground 3(B) are DISMISSED as abandoned.	
,,	IT IS FURTHER ORDERED that Respondents shall have forty five (45) days	

from the date of entry of this Order within which to file an answer to the Petition.

24

23

25

## 

1	IT IS FURTHER ORDERED that Petitioner shall have forty five (45) days after
2	service of the answer to file and serve a reply.
3	DATED 1: A 1 C April 2012
4	DATED this <u>4</u> day of <u>April</u> , 2012.
5	
6	- Stallan
7	Gloria M./Navarro United States District Judge
8	
9	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	